



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3727

Introduced 2/25/2009, by Rep. Sidney H. Mathias - Paul D. Froehlich

SYNOPSIS AS INTRODUCED:

815 ILCS 305/15
815 ILCS 305/20

from Ch. 134, par. 115
from Ch. 134, par. 120

Amends the Automatic Telephone Dialers Act. Requires an autodialer to provide the complete company name and return phone number within its pre-recorded message. Provides that an autodialer shall provide within the pre-recorded message an option of pressing a designated button to connect with a live operator at any time during the message or a phone number for opting out of further solicitation calls. Requires an autodialer to be properly registered so that the name or telephone number or both are available for display for caller ID. Extends the list of telephone calls made by an autodialer that are exempted from the Act to include a telephone call placed on behalf of any public policy organization.

LRB096 09372 KTG 19529 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Automatic Telephone Dialers Act is amended
5 by changing Sections 15 and 20 as follows:

6 (815 ILCS 305/15) (from Ch. 134, par. 115)

7 Sec. 15. Method of operation.

8 (a) No person shall operate an autodialer in this State to
9 place a telephone call during the hours between 9 p.m. and 9
10 a.m.

11 (b) All autodialers operated within the State of Illinois
12 shall disconnect within 30 seconds after termination of the
13 call by the subscriber or the autodialer. Where disconnection
14 in 30 seconds is technically not feasible, the autodialer shall
15 utilize a live operator who shall:

16 (1) state his name, the name, address and telephone
17 number of the business or organization being represented
18 and the purpose of the call; and

19 (2) inquire at the beginning of the call whether the
20 person called consents to hear the prerecorded message.

21 (b-5) An autodialer shall provide the complete company name
22 and return phone number within its pre-recorded message.

23 (c) An autodialer shall not be used to dial numbers

1 determined by successively increasing or decreasing integers.

2 (d) An autodialer must be properly registered so that the
3 name or telephone number or both are available for display for
4 caller ID. An autodialer may not be operated in a manner that
5 impedes the function of any caller ID ~~when the telephone~~
6 ~~solicitor's service or equipment is capable of allowing the~~
7 ~~display of the solicitor's telephone number.~~

8 (e) An autodialer shall provide within the pre-recorded
9 message an option of pressing a designated button to connect
10 with a live operator at any time during the message or a phone
11 number for opting out of further solicitation calls.

12 (Source: P.A. 91-182, eff. 1-1-00.)

13 (815 ILCS 305/20) (from Ch. 134, par. 120)

14 Sec. 20. Exemptions.

15 (a) Except as provided in subsection (b), the provisions of
16 this Act shall not apply to the following types of telephone
17 calls made by an autodialer:

18 (1) calls made in response to an express request of the
19 person called;

20 (2) calls made to any person with whom the telephone
21 solicitor has a prior or existing business relationship;

22 (3) a telephone call placed on behalf of any political,
23 charitable, public policy, public opinion polling,
24 research survey, or radio or television broadcast rating
25 organization.

1 (b) Notwithstanding the provisions of subsection (a), all
2 calls made by an autodialer must be made in compliance with the
3 requirements of subsection (d) of Section 15.

4 (Source: P.A. 91-182, eff. 1-1-00.)